

SECOND REGULAR SESSION

SENATE BILL NO. 1228

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATORS JUSTUS AND SMITH.

Read 1st time February 27, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

5320S.01I

AN ACT

To repeal section 130.032, RSMo, and section 130.032, as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, and to enact in lieu thereof one new section relating to campaign contributions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 130.032, RSMo, and section 130.032, as enacted by
2 conference committee substitute for senate substitute for house committee
3 substitute for house bill no. 1900, are repealed and one new section enacted in
4 lieu thereof, to be known as section 130.032, to read as follows:

130.032. 1. In addition to the limitations imposed pursuant to section
2 130.031, the amount of contributions made by or accepted from any person other
3 than the candidate in any one election shall not exceed the following:

4 (1) To elect an individual to the office of governor, lieutenant governor,
5 secretary of state, state treasurer, state auditor or attorney general, one thousand
6 dollars;

7 (2) To elect an individual to the office of state senator, five hundred
8 dollars;

9 (3) To elect an individual to the office of state representative, two hundred
10 fifty dollars;

11 (4) To elect an individual to any other office, including judicial office, if
12 the population of the electoral district, ward, or other unit according to the latest
13 decennial census is under one hundred thousand, two hundred fifty dollars;

14 (5) To elect an individual to any other office, including judicial office, if
15 the population of the electoral district, ward, or other unit according to the latest

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

16 decennial census is at least one hundred thousand but less than two hundred fifty
17 thousand, five hundred dollars; and

18 (6) To elect an individual to any other office, including judicial office, if
19 the population of the electoral district, ward, or other unit according to the latest
20 decennial census is at least two hundred fifty thousand, one thousand dollars.

21 2. For purposes of this subsection "base year amount" shall be the
22 contribution limits prescribed in this section on January 1, 1995. Such limits
23 shall be increased on the first day of January in each even-numbered year by
24 multiplying the base year amount by the cumulative consumer price index, as
25 defined in section 104.010, RSMo, and rounded to the nearest twenty-five-dollar
26 amount, for all years since January 1, 1995.

27 3. [Candidate committees, exploratory committees, campaign committees
28 and continuing committees, other than those continuing committees which are
29 political party committees,] **Every committee established under this**
30 **chapter** shall be subject to the limits prescribed in subsection 1 of this
31 section. The provisions of this subsection shall not limit the amount of
32 contributions which may be accumulated by a candidate committee and used for
33 expenditures to further the nomination or election of the candidate who controls
34 such candidate committee, except as provided in section 130.052.

35 4. Except as limited by this subsection, the amount of cash contributions,
36 and a separate amount for the amount of in-kind contributions, made by or
37 accepted from a political party committee in any one election shall not exceed the
38 following:

39 (1) To elect an individual to the office of governor, lieutenant governor,
40 secretary of state, state treasurer, state auditor or attorney general, ten thousand
41 dollars;

42 (2) To elect an individual to the office of state senator, five thousand
43 dollars;

44 (3) To elect an individual to the office of state representative, two
45 thousand five hundred dollars; and

46 (4) To elect an individual to any other office of an electoral district, ward
47 or unit, ten times the allowable contribution limit for the office sought.

48 The amount of contributions which may be made by or accepted from a political
49 party committee in the primary election to elect any candidate who is unopposed
50 in such primary shall be fifty percent of the amount of the allowable contributions
51 as determined in this subsection.

52 5. Contributions from persons under fourteen years of age shall be
53 considered made by the parents or guardians of such person and shall be
54 attributed toward any contribution limits prescribed in this chapter. Where the
55 contributor under fourteen years of age has two custodial parents or guardians,
56 fifty percent of the contribution shall be attributed to each parent or guardian,
57 and where such contributor has one custodial parent or guardian, all such
58 contributions shall be attributed to the custodial parent or guardian.

59 6. Contributions received and expenditures made prior to January 1, 1995,
60 shall be reported as a separate account and pursuant to the laws in effect at the
61 time such contributions are received or expenditures made. Contributions
62 received and expenditures made after January 1, 1995, shall be reported as a
63 separate account from the aforementioned account and pursuant to the provisions
64 of this chapter. The account reported pursuant to the prior law shall be retained
65 as a separate account and any remaining funds in such account may be used
66 pursuant to this chapter and section 130.034.

67 7. Any committee which accepts or gives contributions other than those
68 allowed shall be subject to a surcharge of one thousand dollars plus an amount
69 equal to the contribution per nonallowable contribution, to be paid to the ethics
70 commission and which shall be transferred to the director of revenue, upon
71 notification of such nonallowable contribution by the ethics commission, and after
72 the candidate has had ten business days after receipt of notice to return the
73 contribution to the contributor. The candidate and the candidate committee
74 treasurer or deputy treasurer owing a surcharge shall be personally liable for the
75 payment of the surcharge or may pay such surcharge only from campaign funds
76 existing on the date of the receipt of notice. Such surcharge shall constitute a
77 debt to the state enforceable under, but not limited to, the provisions of chapter
78 143, RSMo.

 [130.032. 1. Monetary contributions shall not be made from
2 any political party committee as defined in subdivision (25) of
3 section 130.011 to any candidate committee, continuing committee,
4 or political party committee. Nothing in this section shall be
5 construed to limit any candidate committee from making
6 contributions to any other committee.

7 2. Any candidate for the office of state representative, the
8 office of state senator, or a statewide elected office shall not accept
9 any contributions from the first Wednesday after the first Monday

10 in January through the first Friday after the second Monday of
11 May of each year at 6:00 p.m. Only candidates for special election
12 to the house of representatives, senate, or statewide elected office
13 may, during such time, accept contributions from the date of the
14 candidate's nomination by his or her respective political party until
15 thirty days after the date of the election.]

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